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CF1002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPURW. P. (C) No. 6278/2006Petitioner

PR. No. 6214/06
Presented by Shri. Amr. A. Shrivastava
dated 13/11/06

✓ Smt. Sukhveer, aged about 46 years, wife of Shri J.S. Virdhi, resident of Lal Tanki, Raigarh, C.G.

VersusRespondents :

1. Municipal Corporation, Raigarh through its Commissioner, Raigarh, Distt. Raigarh (C.G.)
2. The Sub Divisional Officer (Revenue), Raigarh, Distt. Raigarh (C.G.)

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WRIT UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A WRIT IN THE NATURE OF MANDAMUS, PROHIBITION, CERTIORARI ETC OR ANY OTHER DIRECTIONS OR ORDER

आदेश पत्रक

मामला क्रमांक

WP (C) 6278/06

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विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Gowri	14-11-2006 Shri Amit Sharma, counsel for the petitioner. None for respondent No.1. Smt. Anju Ahuja, Dy. Govt. Adv. for the State/respondent No.2. Heard. Learned counsel for the petitioner contended that Municipal Corporation, Raigarh (henceforth "the Corporation"), has demolished the structure of the petitioner on the count that petitioner's construction was unauthorized. He further contended that the Corporation while demolishing the unauthorized construction is side by side allotting shops to those encroachers and on the parity petitioner also prays for allotment of shops, but the Corporation did not allot any shop to her, therefore, on parity for grant of shop she has filed the instant writ petition. From the record, it is evident that petitioner did not apply before the Corporation for allotment of shop as prayed for and has directly come before this Court. Even otherwise, the dispute raised by the petitioner is a civil dispute cognizable by Civil Courts, therefore, petitioner if chooses may file appropriate application before the Corporation for allotment of shop and also if chooses may institute civil suit for her reliefs before the competent Court of civil jurisdiction. In view of the above, the writ petition is dismissed in <i>limine</i>. Consequently, M.(W.)P.No.4618/2006 stands disposed of.	Sd/- V.K.Shrivastava Judge

(पीछे देखिये)

17/11/06